

E-FILED - 8/10/12

Case Nos. C-12-03908-DLJ
CR-10-00319-DLJ

ORDER

UNITED STATES OF AMERICA,
Respondent.

On June 28, 2011 Defendant Jaime Aguirre-Olivas (Aguirre-Olivas) was sentenced to 42 months in prison for a violation of 8 U.S.C. § 1326, Illegal Re-entry. On July 16, 2012, Aguirre-Olivas filed a Motion under 28 U.S.C. § 2255 to Vacate, Set Aside or Correct his sentence.

The Motion claim ineffective assistance of counsel alleging that at the sentencing counsel for defendant failed to correctly address defendant's prior convictions. Aguirre-Olivas also contends that counsel was ineffective in that he claims counsel caused him to waive his right to appeal.

The Court hereby Orders that the government respond to this Motion on or before September 10, 2012.

25 || TT TS SO ORDERED

Dated: August 9, 2012

D. Lowell Jensen
United States District Judge

United States District Court
For the Northern District of California

1
2 Copy of Order Mailed on 8/10/12 to:
3

4 **Jaime Aguirre-Olivas**
5 #20912-298
6 FCI Victorville 1
7 PO Box 3725
8 Adelanto, CA 92301

9 *Pro Se Party*

10 E-Filed to Government Counsel

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28